IN THE UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF NORTH CAROLINA WESTERN DIVISION

No. 5:19-CV-289-H

KIMBERLY A REATH,) .	
Plaintiff,)	
)	
V.)	ORDER
)	OLDER
SOCIAL SECURITY)	
ADMINISTRATION,)	
Defendant.		

This matter is before the court for frivolity review. United States Magistrate Judge Kimberly A. Swank entered an order and M&R on November 14, 2019, granting plaintiff's motion to proceed IFP and recommending plaintiff's claims against defendant be dismissed for lack of subject matter jurisdiction and that plaintiff's request for reconsideration of the court's decisions in Reath v. Soc. Sec. Admin., No. 5:15-CV-53-H and Reath v. Soc. Sec. Admin., No. 5:17-CV-544-H, be denied. Plaintiff filed timely objections to the M&R on November 26, 2019.

The court has carefully reviewed the M&R, objections, and other documents of record, including plaintiff's filings at DE #5 and #6. Based on its de novo review, see 28 U.S.C. § 636(b) (After conducting a de novo review, the district judge may "accept, reject, or modify, in whole or in part, the findings or recommendations made by the magistrate judge..."), the court finds

that the recommendation of Magistrate Judge Swank is, in all respects, in accordance with the law and should be approved.

Accordingly, the court ADOPTS the recommendation of the magistrate judge as its own and hereby DISMISSES plaintiff's claims for lack of subject matter jurisdiction and denies her requests for reconsideration.

This 20 day of December 2019.

Malcolm J. Howard

Senior United States District Judge

At Greenville, NC #26